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March 8, 2010

Office of Petitions  
**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Subject: Petition to Withdraw Holding of Abandonment, Application No. 10/826,232**

I request withdrawal of the holding of abandonment for patent application number 10/826,232.

I received a Notice of Abandonment on 03/04/10. However, the application never should have gone abandoned. All required documents (a copy of each document is appended herewith) were submitted within the specified timeframe on 11/23/09:

- RCE Transmittal Letter
- Petition for Extension of Time (1 month)
- Certificate of Mailing
- Amendment
- Check in the amount of \$470
- Receipt-acknowledgement postcard

The patent application number was entered incorrectly by me as 10/826,233 on one of the submitted documents, the RCE Transmittal Letter. All other submitted documents carried the correct application number, and all documents carried the correct inventor name. Finally, the Amendment listed the Confirmation Number as 9638, the same as the parent application. However, my call today to the Petition Helpdesk confirmed that a USPTO clerical error resulted in all of the documents that I submitted on 11/23/09 incorrectly being appended to application 10/826,233. Furthermore, I learned that application 10/826,233 already had been assigned a Serial Number at the time of my submittal on 11/23/09, which should have prevented the processing of an RCE application and fee.

I can be reached at the address above, by telephone at (650) 949-2219, or by email at [carol.tosaya@gmail.com](mailto:carol.tosaya@gmail.com).

Respectfully,

*Carol A. Tosaya*

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Inventor, application number 10/826,232